52. A method according to claim 39, wherein said polymethylcyclosiloxane is octamethylcyclotetrasiloxane.

53. A method according to claim 43, wherein said polymethylcyclosiloxane is octamethylcyclotetrasiloxane.

REMARKS

In view of the above amendments and the following remarks, reconsideration of the outstanding office action is respectfully requested.

Of the patent claims, claims 12, 13, and 22 are pending, while claims 1-11, 14-21, and 23-26 are canceled. Added claims 27-32 have been canceled. New claims 39-53 are supported, *inter alia*, by original claims 1, 3-7, 9-11, 17, 19-21, 23, and 25-26.

The rejection of claims 12, 13, and 22 under 35 U.S.C. § 103 for obviousness over U.S. Patent No. 4,501,602 to Miller ("Miller") in view of European Patent Application Serial No. 38,900 to Schwarz ("Schwarz") and, optionally, U.S. Patent No. 2,272,342 to Hyde ("Hyde") and/or Japanese Kokai Patent Application No. 1381452 to Kawaguchi, et. al. ("Kawaguchi") is respectfully traversed. Although the outstanding office action only explicitly rejects claims 12, 13, and 20, it is assumed that the subject matter of claims 33-38 is also rejected as these claims are mentioned on page 3 of the office action as being taught by Schwarz. It is respectfully requested that this issue be clarified in the next office action.

Miller relates to producing glass optical waveguides by generating a silica soot, depositing it on a surface, and consolidating the deposited soot to produce a glass. To the extent a source for the silicon soot is specifically identified, Miller mentions silicon tetrachloride. See Example 7. There is no disclosure of polymethylcyclosiloxane.

Schwarz manufactures pyrogenic silica with siloxanes, such as hexamethyldisiloxane, hexamethylcyclotrisiloxane, and octamethylcyclotetrasiloxane.

Hyde discloses making a transparent article of silica by oxidizing silicon. Like Miller, Hyde contains no disclosure of using polymethylcyclosiloxane. Only the use of silicon chloride, silicon chloroform, methyl silicate, and ethyl silicate, which are very different from polymethylcyclosiloxane, are mentioned in Hyde.

Kawaguchi relates to a method of making a quartz glass element by oxidizing a silane compound or a siloxane compound (e.g., hexamethyldisiloxane). There is no disclosure of a polymethylcyclosiloxane.

Although Miller and Hyde are newly cited references in the outstanding office action, it is not seen how these references are any more pertinent to the claimed invention than U.S. Patent No. 3,823,995 to Carpenter which has been cited in prior office actions. Accordingly, applicants submit that the rejection based on the combination of Miller, Schwarz, Hyde, and Kawaguchi is not proper for the reasons set forth in applicants' prior responses. In brief, of these references, only Schwarz utilizes polymethylcyclosiloxane. However, Schwarz is only using this material to prepare silicic acid. There is no suggestion in Schwarz that the resulting silicic acid dispersion is suitable for build up as a deposit on a support. There is also no indication that such a deposit can be consolidated to form a consolidated glass body. Indeed, using the procedure of Schwarz in this manner would be contrary to the teachings of this reference which seeks to make a high surface area dispersion that never builds up as a deposit and does not undergo consolidation. There is no expectation that the technique of Schwarz, which processes a polycyclosiloxane to form a silicic acid dispersion, would be useful in conjunction with a process for making a consolidated glass monolith. Since this is, in fact, what Miller, Hyde, and Kawaguchi are making, one of ordinary skill in the art would have no reason to combine Schwarz with Miller, Hyde, and Kawaguchi to produce high purity fused silica glass. Further, as also noted in applicants' prior responses, the claimed invention achieves many unexpected benefits which would rebut any *prima facie* case of obviousness. For all of these reasons, the obviousness rejection in the outstanding office action should be withdrawn.

In view of all the foregoing, it is submitted that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

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5/10/01 — Date

Wendy L. Harrold